



PUBLIC NOTICE

Federal Communications Commission
445 12th Street, S.W.
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DA 07-1578
March 30, 2007

COMMENTS INVITED ON APPLICATION OF SBC LONG DISTANCE, LLC D/B/A AT&T LONG DISTANCE TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES

WC Docket No. 07-65
Comp. Pol. File No. 787

Comments Due: April 16, 2007

Section 214 Application

Applicant: SBC Long Distance, LLC d/b/a AT&T Long Distance

On March 20, 2007, SBC Long Distance, LLC d/b/a AT&T Long Distance (AT&T or Applicant), located at 1010 N. St. Mary's Street, Suite 13L, San Antonio, TX 78215, filed an application with the Federal Communications Commission (FCC or Commission) requesting authority to the extent necessary, under section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to discontinue the provision of certain domestic telecommunications services to customers in the District of Columbia, Kentucky, Maryland, Massachusetts, North Carolina, New Jersey, New York, Oregon, Pennsylvania, Tennessee, Virginia and Washington. By amendments filed March 22, 2007 and March 23, 2007, AT&T provided requested information and updated the record regarding notice in the affected areas. Accordingly, AT&T's application is deemed complete as of March 23, 2007.

AT&T indicates that it currently provides the following business services in the District of Columbia, Kentucky, Maryland, Massachusetts, North Carolina, New Jersey, New York, Oregon, Pennsylvania, Tennessee, Virginia and Washington: Local Business Access Lines (also sold in packages and referred to as Phone Solutions and Phone Solutions Plus), Intrastate Private Line Service, Local Primary Rate Integrated Service Digital Network (ISDN) Primary Rate Interface (PRI) Service, Local Digital Trunks (DTS), and Local T-1 Integrated Access (IAS). AT&T states that, as a result of the acquisition of AT&T Corp. and its subsidiaries by SBC Communications, Inc., the combined entity now plans to streamline its business services portfolio. Accordingly, AT&T indicates that it no longer plans to offer these services to new customers in all affected states except Oregon on or after May 1, 2007, subject to Commission authorization.¹ AT&T further indicates that it no longer plans to offer these services to new customers in Oregon on or after May 15, 2007, subject to Commission authorization. AT&T maintains that it will continue to provide services to existing customers until their existing contracts expire or are terminated. AT&T states that it plans to offer comparable services through

¹ Discontinuance of international service is governed by 47 C.F.R. § 63.19

another AT&T affiliate. AT&T also asserts that there are many alternative providers of business services in the affected areas, including but not limited to Access Point Inc., which provides services in Washington, D.C., Maryland, Massachusetts, New Jersey, New York and Pennsylvania; Birch Telecom, which provides services in Kentucky and Tennessee; Talk America, which provides services in Oregon, Virginia and Washington; **and** Verizon, which provides services in Washington, D.C., Massachusetts, Maryland and Virginia. AT&T represents that it notified affected customers of the proposed discontinuance by letters sent via U.S. Mail on March 15, 2007. Finally, AT&T asserts that it is non-dominant with respect to the services it proposes to discontinue.

In accordance with section 63.71(c) of the Commission's rules, AT&T's application will be deemed to be granted automatically **on** the thirty-first (31st) day after the release date of this public notice., unless the Commission notifies AT&T that the grant will not be automatically effective. In AT&T's application and notice to customers AT&T indicates that it will no longer offer these services to new customers in the affected states **on** or after May 1st or May 15th as specified, and that it will not provide these services to existing customers beyond the expiration or termination of their existing contracts. Accordingly, pursuant **to** section 63.71(c) and the terms of AT&T's notice and application, absent further Commission action, AT&T may terminate service to affected customers **on or after May 1, 2007** in the District of Columbia, Kentucky, Maryland, Massachusetts, North Carolina, New Jersey, New York, Pennsylvania, Tennessee, Virginia and Washington, and **on or after May 15, 2007** in Oregon, in accordance with its filed representations. The Commission will normally authorize proposed discontinuances of service unless it is shown that customers or other end users would be unable to receive service or a reasonable substitute from another carrier, or that the public convenience and necessity would be otherwise adversely affected.

This proceeding is considered a "permit but disclose" proceeding for purposes of the Commission's ex parte rules, 47 C.F.R. §§ 1.1200-1.1216. Comments objecting to this application must be filed with the Commission on or before **April 16, 2007**. Such comments should refer to **WC Docket No. 07-65 and Comp. Pol. File No. 787**. Comments should include specific information about the impact of this proposed discontinuance on the commenter, including any inability to acquire reasonable substitute service. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/cgb/ecfs/>. Filers should follow the instructions provided **on** the website for submitting comments. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, filers should send an e-mail to ecfs@fcc.gov, and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.

Parties who choose to file by paper must send an original and four (4) copies of the comments to the Office of the Secretary, Federal Communications Commission, 445 12th Street, S.W., Room TW-A325, Washington, D.C. 20554. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission. The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The

filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service **Express Mail** and **Priority Mail**) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express, and Priority mail should be addressed to 445 12th Street, S.W., Washington, D.C. 20554.

Two (2) copies of the comments should also be sent to the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, S.W., Room 5-C327, Washington, D.C. 20554, Attention: Carmell Weathers. In addition, comments should be served upon the Applicant. Commenters are also requested to fax their comments to the FCC at (202) 418-2345, Attention: Carmell Weathers.

The application will be available for public inspection and copying during regular business hours at the FCC Reference Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554, (202) 418-0270. A copy of the application may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, telephone (202) 488-5300, facsimile (202) 488-5563, or via e-mail at FCC@BCPIWEB.COM. People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY).

For further information, contact Carmell Weathers, (202) 418-2325 (voice), carmell.weathers@fcc.gov, or Rodney McDonald, (202) 418-7513 (voice), rodney.mcdonald@fcc.gov of the Competition Policy Division, Wireline Competition Bureau. The TTY number is (202) 418-0484. For further information on procedures regarding section 214 please visit <http://www.fcc.gov/wcb/cpd/otheradjud>.

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